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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Takashi NITTA et al.

Group Art Unit: 2626

Application No.: 10/652,494

Filed: September 2, 2003

Docket No.: 116974

For: PREVIEW DEVICE, ELECTRONIC DEVICE, AND IMAGE FORMING APPARATUS

INFORMATION DISCLOSURE STATEMENT

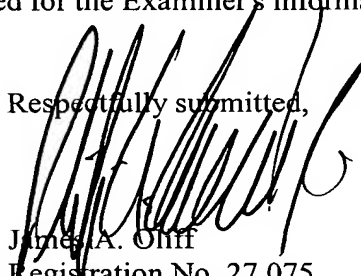
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date of this non-CPA application, OR (b) before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required.
- ☒ 2. The reference 1 was cited in a Chinese Office Action. An English language version of the Chinese Office Action is attached for the Examiner's information.

Respectfully submitted,


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JAO:PAC/mps

Date: September 9, 2005

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| <p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p> |
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Sheet 1 of 1

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|---|---|---|-----------|------------------------------------|-----------------|-------------------------------|--|
| Form PTO-1449 (REV. 8-83) | | US Dept. of Commerce PATENT & TRADEMARK OFFICE | | ATTY DOCKET NO. 116974 | | APPLICATION NO. 10/652,494 | |
| INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | | | | APPLICANTS Takashi NITTA et al. | | | |
| | | | | FILING DATE September 2, 2003 | | GROUP 2626 | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | |
| | 1 | CN 1092531A w/ transl of cited part | 9/21/1994 | CHINA | | | |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.) | | | | | | | |
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| EXAMINER | | | | | DATE CONSIDERED | | |
| Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | |

Date: September 9, 2005

THE STATE INTELLECTUAL PROPERTY OFFICE OF CHINA

Address: Receiving Department of The State Intellectual Property Office (SIPO)
6 Xitucheng Road, Haidian, Beijing

Postal Code: 100088



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|-----------------------------|--|------------------------------------|
| Applicant | Seiko Epson Corporation | Date of Issue: July 1, 2005 |
| Patent Agent | Beijing Sanyou Intellectual Property Agency Ltd. | |
| Filing No. of Patent Appln. | 03157366.5 | |
| Title of Invention | Preview Device, Electronic Device, and Image Forming Apparatus | |

FIRST NOTIFICATION OF OFFICE ACTION

- ☒ The examiner has made the examination on the above cited patent application in accordance with the provision in paragraph 1, Article 35 of the PRC Patent Law.
☐ The SIPO uses its own discretion to make a substantive examination for the above cited patent application in accordance the provision in paragraph 2, Article 35 of the Chinese Patent Law.
- ☒ The applicant designated the filing date of
Sept.18, 2002 in the Patent Office of JP as the priority date;
Aug.8, 2003 in the Patent Office of JP as the priority date;
 _____ in the Patent Office of _____ as the priority date;
 _____ in the Patent Office of _____ as the priority date;
 _____ in the Patent Office of _____ as the priority date;
☒ the certified copy of Priority Document(s) has (have) been submitted.
☐ no certified copy of priority document has been submitted heretofore and, according to the provision of Article 30 of the PRC Patent Law, it is deemed that no priority right has been requested.
- ☐ The applicant submitted the amended text on _____ and _____, after examination, in which
☐ the _____ of the amended text submitted on _____ is unacceptable;
☐ the _____ of the amended text submitted on _____ is unacceptable;
 the reason being that the above cited amendment
☐ is not in conformity with the provision of Article 33 of the PRC Patent Law;
☐ is not in conformity with the provision of Rule 51 of the Implementing Regulations of the Chinese Patent Law.

The amendment is not accepted based on the reason in details shown in the attachment sheet .

- ☐ Examination is made based on the original filing documents.
☒ Examination is made based on the following documents:
 Description page(s) 1-21 of the original filing documents submitted on the filing date
 Page(s) _____ on _____, pages _____ on _____
 Claims item(s) 8-23 of original filing documents submitted on the filing date
 Item(s) 1-7 on May 31, 2004, items _____ on _____
 Drawings page(s) 2-10 of original filing documents submitted on the filing date
 Page(s) 1 on May 31, 2004, pages _____ on _____
 Abstract ☐ submitted on the filing date ☒ submitted on Sept.18,2003
 Drawing of abstract ☐ submitted on the filing date ☐ submitted on May 31, 2004

- ☐ The notification is made without conducting the search for the patentability.
☒ The notification is made under the search for the patentability.
☒ The following references have been cited in this notification (their serial numbers will be referred to in the following procedure):

| Serial Number | Number or Title of Reference Material | Publication Date (or Filing Date of A Conflict Patent Application) |
|---------------|---------------------------------------|--|
| 1 | CN 1092531A | Sept.21, 1994 |
| 2 | | |
| 3 | | |
| 4 | | |
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6. The conclusion of the examination:

☒ In regard to the description:

- ☐ The subject matter of the present application is not accepted based on the Article 5 of the Chinese Patent Law.
- ☐ The description is not in conformity with the provision of paragraph 3, Article 26 of Chinese Patent Law.
- ☐ The presentation of the description is not in conformity with the provision of Rule 18 of the Implementing Regulations of the Chinese Patent Law.
- ☒ The presentation of the description is not in conformity with the provision of paragraph 3, Rule 19 of the Implementing Regulations of the Chinese Patent Law.

☒ In regard to the Claims:

- ☐ Claims _____ can not be allowed owing to lack of novelty based on the provision of paragraph 2, Article 22 of Chinese Patent Law.
- ☒ Claims 1-23 can not be allowed owing to lack of inventiveness based on the provision of paragraph 3, Article 22 of Chinese Patent Law.
- ☐ Claims _____ cannot be allowed owing to lack of practical applicability based on the provision of paragraph 4, Article 22 of Chinese Patent Law.
- ☐ Claims _____ can not be allowed because they fall in the scope of the unpatentable subject matters provided by Article 25 of the Chinese Patent Law.
- ☐ Claims _____ cannot be allowed because they are not in conformity with the provision of paragraph 4, Article 26 of Chinese Patent Law.
- ☐ Claims _____ cannot be allowed based on the provision of paragraph 1, Article 31 of Chinese Patent Law.
- ☐ Claims _____ cannot be allowed based on the provision of Article 33 of Chinese Patent Law.
- ☐ Claims _____ can not be allowed because they claim an invention(s) that does not belong to the invention defined by the provision of paragraph 1, Rule 2 of the Implementing Regulations of the Chinese Patent Law.
- ☐ Claims _____ cannot be allowed based on the provision of paragraph 1, Rule 13 of the Implementing Regulations of the Chinese Patent Law.
- ☐ Claims _____ cannot be allowed based on the provision of Rules 20 of the Implementing Regulations of the Chinese Patent Law.
- ☐ Claims _____ cannot be allowed based on the provision of Rules 21 of the Implementing Regulations of the Chinese Patent Law.
- ☐ Claims _____ cannot be allowed based on the provision of Rules 22 of the Implementing Regulations of the Chinese Patent Law.
- ☒ Claims 4,7,8,17-23 cannot be allowed based on the provision of Rules 23 of the Implementing Regulations of the Chinese Patent Law.

The explanation of the conclusion is given in the attachment sheet in details

7. According to the above conclusion, the examiner holds that

- ☐ the applicant should amend the application documents based on the requirement specified in the Attachment Sheet.
- ☐ the applicant should state the reason on which the application can be accepted and amend the part that is indicated not to be in conformity with the requirement, otherwise the application will be rejected.
- ☒ No subject matter in the application is patentable, the said application will be rejected if the

☐ applicant does not make a statement or the statement is not convincing.
☐ _____

8. The applicant's attention is drawn to the fact that

- (1) in accordance with the provision of Article 37 of the Chinese Patent Law, the applicant shall submit the observations within FOUR months from the date of receiving this notification. If the applicant, without any justified reason, fails to reply within the time limit, the application shall be deemed to have been withdrawn.
- (2) the amendment that the applicant makes shall be in conformity with the provision of Article 33 of the Chinese Patent Law. The amended text shall be furnished in duplicate. The formality of the amendment should be in conformity with the relative provisions of the Guidebook for Examination.
- (3) any response and/or amended specification must be furnished by mail or by hand to the Receiving Department of the Chinese Patent Office. Any documents that are not furnished to the Receiving Department do not have legal effect.
- (4) the applicant and/or his attorney should not go to the PRC Patent Office to meet the examiner if no appointment is made.

9. The text of the notification embraces 4 page(s), along with the enclosures herein:

☒ 1 copy of the cited references are enclosed in pages of _____.